REMARKS

This response is intended as a full and complete response to the non-final Office Action mailed June 23, 2005. In the Office Action, the Examiner notes that claims 1-20 are pending and rejected. Claims 6, 10, 12 and 17 are amended

In view of both the amendments presented above and the following discussion, Applicants submit that none of the claims now pending in the application are indefinite or obvious under the respective provisions of 35 U.S.C. §112, ¶2 and §103. Thus, Applicants believe that all of these claims are now in allowable form.

It is to be understood that Applicants, by amending the claims, do not acquiesce to the Examiner's characterizations of the art of record or to Applicants' subject matter recited in the pending claims. Further, Applicants are not acquiescing to the Examiner's statements as to the applicability of the art of record to the pending claims by filing the instant responsive amendments.

OBJECTIONS

The Examiner has objected to claims 10 and 12 because the phrase "translation language" should be –transaction language–. Applicants have amended claims 10 and 12 to change the phrase "translation language" to –transaction language–. Therefore, Applicants respectfully request that the Examiner's objection be withdrawn.

REJECTIONS

35 U.S.C. §112

The Examiner has objected to claims 6 and 17 under 35 U.S.C. §112, ¶2, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. In particular, the Examiner has rejected: claims 6 and 17 "as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention"; claim 6 for lacking antecedent basis for the limitation "said input ... correlation tag" in line 3; and claim 17 for lacking antecedent basis for the limitation "the TL1 message" in line 8. Applicants have amended claim 6 to "an input... correlation tag" and in claim 17 to "the input command message." Applicants respectfully traverse the Examiner's rejection.

35 U.S.C. §103(a)

Claims 1-6, 10-13 and 17-20

The Examiner has rejected claims 1-6, 10-13 and 17-20 under 35 U.S.C. §103(a) as being unpatentable over Rao (US 6,674,756, hereinafter "Rao") in view of Keats (U.S. 6,738,828, hereinafter "Keats.") The rejection is respectfully traversed.

Applicants' independent claim 1 recites (independent claims 10 and 17 recite similar limitations):

> 1. (original) A method for translating control messages between a network manager and a router, the method comprising:
> intercepting an input command message intended for said router, said router partitioned into a plurality of logical router partitions, said input command message expressed in terms of a logical router partition;
> translating the logical router partition expressed in said input command message into a physical router expression; and
> propagating said input command message, including any translated expressions, toward said router. (emphasis added).

The test under 35 U.S.C. §103 is not whether an improvement or a use set forth in a patent would have been obvious or non-obvious; rather the test is whether the claimed invention, considered as a whole, would have been obvious. Jones v. Hardy, 110 USPQ 1021, 1024 (Fed. Cir. 1984) (emphasis added). Thus, it is impermissible to focus either on the "gist" or "core" of the invention, Bausch & Lomb, Inc. v. Barnes-Hind/Hydrocurve, Inc., 230 USPQ 416, 420 (Fed. Cir. 1986) (emphasis added). Moreover, the invention as a whole is not restricted to the specific subject matter claimed, but also embraces its properties and the problem it solves. In re Wright, 6 USPQ 2d 1959, 1961 (Fed. Cir. 1988) (emphasis added). The combination of Rao and Keats fails to teach or suggest Applicants' invention as a whole.

In particular, Rao discloses processing a connection request for an IP telephone call. How the call is routed depends on the call policy record. The routing is determined based on the resources available at the switch and is controlled by filtering and mapping

IP addresses thereby creating VPNs. (See column 9, lines 12-23; column 19, line 62 to column 20, line 3). Specifically,

> The incoming call's virtual router ID and virtual private network ID allow the switch to provide access to resources that the user authorized for. According to one embodiment of the invention, the switch may be partitioned into multiple virtual routers where each virtual router has its own set of resources (e.g. ISDN or modem resources) and routing tables. Thus, each virtual router preferably functions as a separate router in an independent and self-contained manner. Each virtual router may further be partitioned into multiple virtual private networks (VPNs) for further controlling access to the switch. VPNs are created with filtering software that filters traffic directed to the virtual router based on criteria such as, for example, source address and/or destination address. (See column 9, lines 30-43).

Rao also discloses that the call policy record (i.e. lookup table) that is used in routing the telephone calls includes service types, authentication servers, IP addresses of domain name servers (DNS), address of routers, etc. (See FIG. 11, column 15, lines 2-41).

Nowhere in the Rao reference is there any disclosure, teaching or suggestion including steps of translating and propagating the message having the translated expressions to the router. Applicants' Invention differs from the Rao reference. The present invention includes a translator program that changes the logical TID in the message to the TID of the router. As a result, the message is altered to include the router TID when being sent to the router. Specifically,

> [0043] At step 516, the translator program 124 changes the logical TID in the input command message to the TID of the router 130. Recall that the router TID (i.e., TID-0) always remains the same value. For example, if the input command message has a logical TID of TID-3, the translator program 124 changes the logical TID to TID-0, which signifies the unique target identifier of the optical router 130. The method 500 then proceeds to step 518, where the altered input command message is sent to the router 130. In particular, the out_{13} to_{13} OXC module 406 sends the altered message to the router 130.

Therefore, Rao does not disclose, teach or suggest "translating the logical router partition expressed in said input command message into a physical router expression; and propagating said input command message, including any translated expressions, toward said router."

Furthermore, Keats fails to bridge the substantial gap between the Rao reference and Applicants' invention. Keats merely discloses receiving a TL1 message commands containing TL1 addresses which needs to be resolved into IP addresses in order for the command message to be sent to the desired IP address. (See Table 1; Column 5, lines 23-39). It does not disclose, teach or suggest altering the message with the physical router expression and sending the altered message to the router. Keats fails to teach or suggest "translating the logical router partition expressed in said input command message into a physical router expression; and propagating said input command message, including any translated expressions, toward said router."

There is no motivation to combine Rao with Keats. Even if the two references could somehow be operably combined, the combination would merely disclose processing a connection request for an IP telephone call where the command message is mapped to IP address for routing to a destination and routing of the call is determined based on the resources available at the switch and is controlled by filtering and mapping IP addresses thereby creating VPNs. Applicants' invention is different than the combined references. Specifically, none of the references disclose, teach or suggest altering the message with the physical router expression and sending the altered message to the router. Accordingly, the combination of Rao and Keats fails to disclose, teach or suggest Applicants' invention as a whole. Specifically, the combined references fail to teach or suggest "translating the logical router partition expressed in said input command message into a physical router expression; and propagating said input command message, including any translated expressions, toward said router."

As such, Applicants submit that independent claims 1, 10 and 17 are not obvious and fully satisfy the requirements of 35 U.S.C. §103 and are patentable thereunder. Furthermore, claims 2-6, 11-13 and 19-20 depend directly or indirectly from

independent claims 1, 10 and 17 and recite additional features thereof. As such, and at least for the same reasons set forth above with respect to Applicants' independent claims 1, 10 and 17, Applicants submit that these claims are also non-obvious and allowable under 35 U.S.C. §103. Therefore, Applicants respectfully request that the rejections be withdrawn.

Claims 7-9 and 14-16

The Examiner has rejected claims 7-9 and 14-16 under 35 U.S.C. §103(a) as being unpatentable over Rao and Keats as applied to claims 1 and 10 above, and further in view of Doolan (U.S. 5,764,955, hereinafter "Doolan"). Applicants respectfully traverse the rejection.

Claims 7-9 and 14-16 depend, respectively, from independent claims 1 and 10 and recite additional features thereof. For at least the reasons set forth above with respect to independent claims 1 and 10, claims 7-9 and 14-16 are patentable and non-obvious over Rao and Keats under 35 U.S.C. §103(a).

Doolan fails to bridge the substantial gap between Rao and Keats and Applicants' invention. In particular, Doolan discloses autonomous TL1, response and acknowledgement messages (See column 5, line 36 to column 6, line 36). Doolan fails to teach or suggest Applicants' claimed "translating the logical router partition expressed in said input command message into a physical router expression; and propagating said input command message, including any translated expressions, toward said router." Therefore Rao, Keats and Doolan, singly or in combination, fail to teach or suggest Applicants' invention as a whole.

As such, Applicants submit that independent claims 1 and 10 are patentable under and non-obvious 35 U.S.C. §103 over Rao and Keats and further in view of Doolan. Furthermore, claims 7-9 and 14-16 depend directly or indirectly from independent claims 1 and 10 and recite additional features thereof. As such, and at least for the same reasons set forth above with respect to Applicants' independent claims 1 and 10, Applicants submit that these claims are also non-obvious and patentable under 35 U.S.C. §103. Therefore, Applicants respectfully request that the rejections be withdrawn.

SECONDARY REFERENCES

The secondary references made of record are noted. However, it is believed that the secondary references are no more pertinent to Applicants' disclosure than the primary references cited in the Office Action. Therefore, Applicants believe that a detailed discussion of the secondary references is not necessary for a full and complete response to this Office Action.

CONCLUSION

In view of the foregoing, Applicants respectfully submit that the claims presently in this application are definite and non-obvious under the respective provisions of provisions of 35 U.S.C. §112 and §103. Applicants believe that this application is in condition for allowance. Reconsideration of this application and its swift passage to issue are respectfully solicited.

If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner telephone Eamon J. Wall at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

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